DOCUMENT RESUME

ED 041 354 EA 002 899

TITLE	Federal Financial Relationships to Education.
INSTITUTION	American Association of School Administrators, Washington, D.C.; National Education Association, Washington, D.C.
PUB DATE	67
NOTE	24p.
AVAILABLE FROM	National Education Association, 1201 Sixteenth St., N.W., Washington, D.C. 20036 ($1.25, Quantity discounts)
EDRS PRICE	EDRS Price MF-$0.25 HC Not Available from EDRS.
DESCRIPTORS	Adult Education, Early Childhood Education, *Educational Finance, *Federal Aid, Federal Legislation, Federal Programs, *Federal State Relationship, *Government Role, Higher Education, Kindergarten, School Integration, State Departments of Education, State Federal Aid, State Federal Support, State School District Relationship

ABSTRACT

The Federal Government has been providing financial aid to all levels of education through categorical rather than general aid. Categorical aid shifts decision power from State and local governments to the Federal level. In addition, it tends to be crisis oriented and short run. Such grants have been accepted by educational communities as a means of establishing a flow of Federal funds. However, the time has come to increase general aid, thus providing unearmarked funds that will lose their identity as Federal dollars when mixed with State and local funds. Such aid would allow establishment of sound Federal-State-local relationships in education. (DE)

EDO 41354

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EDUCATIONAL POLICIES COMMISSION

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Library of Congress Catalog Card Number: 67-27508

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ED041354

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Background

In the history of the American Republic, education has always been recognized as a public necessity. There has been controversy over what kind of education to provide, for whom and by whom; but the idea that the welfare of the nation and of its people rests on education has not been significantly challenged. If the national welfare depends on education, should the national government ensure that there be a system of education available to all?

This question has long been debated. As early as the Annapolis Convention in 1786 it was a focus of attention. The answer has always—or almost always—been the same. It is not necessary for the national government to operate or control the enterprise of education, for the forms of education which the states and localities generate for themselves will hopefully be adequate to serve the national interest.

Thus the federal Constitution was written without reference to education, and it was left to the states and to the people to bring into being the American educational system. Jurisdiction was—and still is—lodged in the governments of the states, most of which delegate the actual controls to local agencies. The enterprise is mainly a governmental operation, but there is ample opportunity for private agencies to conduct schools of their own, subject only to broad, publicly defined limits. The national government neither controls nor operates this enterprise, yet it has a vital stake in how the enterprise is operated.

How, then, should the federal government relate to education? This question has received various answers at various times in the nation's history, but the main thrust of these answers has been that the federal relationship to education should consist of helping to finance it. In the earliest days, the Northwest Ordinance set aside public land the income from which was to be used in support of education. During the Civil War the Morrill Act led to the establishment of the land-grant colleges. Two world wars brought an increase in the number of federal activities in education. As the years passed, these activities came to have great variety and complexity. Those responsible for the administration of the public schools were virtually unanimous in recommending federal financial participation in the form of general grants. But the actual decisions at the federal level were made almost entirely in terms of specific activities.

Then, in 1965, an event occurred that fundamentally altered the context of the debate. This was the passage of the Elementary and Secondary Education Act of 1965. The ESEA, as it will henceforth be titled here, expanded the amounts of money appropriated for education and directed those funds toward the children of the poor. Funds were also appropriated for the purpose of "strengthening" state departments of education, the federal government using its financial power to strengthen another level of government.

With the passage of this Act, the terms of the debate changed from how to get massive federal financial support to how to live with it. ESEA funds, added to the other existing federal grants to education and to the provisions of other legislation, particularly that on Civil Rights, have disturbed traditional power relationships among the levels of government, have permitted the inauguration of procedures that overturn conventional doctrines of administration, and have generated an indirect but powerful federal control of education, even though control is expressly disclaimed in the Act itself. The time is appropriate for an examination of the problems generated by these developments.

Categorical Aid

In an earlier publication, *Educational Responsibilities of the Federal Government,* the Educational Policies Commission recognized the compelling need for massive federal support for education and the unlikelihood of achieving it through general aid as long as three major impediments to such legislation existed: the issue of public funds directed to church-related schools, the issue of desegregation in public schools, and the issue of expanded federal spending. In view of these obstacles to general federal aid, and in view of the proven political attractiveness of categorical aids, the Commission recommended increased categorical aid in consideration of the prior interests of more adequate federal financial support. The Commission specified that three of the major problems associated with categorical aids were a tendency to appropriate (a) too little money for (b) too few purposes at (c) too high a level. The Commission therefore recommended that more money be appropriated for more purposes at lower levels, particularly reaching into the elementary school. The ESEA met these objections and followed these recommendations, but many other consequences have flowed from these same decisions.

Perhaps the most serious consequence of the ESEA has been the shifting of power of decision in education from the state and local level to the federal level of government. Although the ESEA disavows federal control of education and U.S. Commissioners of Education speak of the federal government's "junior partnership"

in the educational enterprise, indirect control is inherent in categorical aid. Indeed, special-purpose federal aid, which provides massive support for special sectors of education, is in itself a form of federal control of education. When instruction in certain subjects is funded, as under the National Defense Education Act, an indirect but nevertheless powerful influence is exerted upon what is taught; how it is taught; and the priority of resources, time, and money allocated to it. The judgment of federal officials who prepare the guidelines is substituted for the judgment of local and state boards of education, administrators, and staff. Categorical aids are often born of political considerations, and the pleadings of special-interest groups may be remotely related to state and local considerations. State and local educational authorities tend to view such aids as a conglomeration of projects rather than as fundamental parts of a coherent educational program. Despite the evident weaknesses of many state and local educational authorities, it may be better to vest control over the allocation of resources and energies in authorities close to the operational level of schools, who have a broad perspective of the local education scene, than to transfer such power to officials distant from the scene and unaware of its needs.

Federal specification of categories also militates against the organic integrity and essential unity of the educational enterprise, to the detriment of the educational program and the individual child. When categorical aids require matching funds, there is the added danger that funds available to local school boards for general purposes will become increasingly inadequate. Local administrators face difficulty in relating local needs to the proliferation of federal funds available. The problem is especially complex because local needs frequently require a multifaceted program which can be created only by putting together funds from a number of agencies or departments, which usually form less than a total package. For example, if a local education agency needs to improve opportunity for youth and adults to develop their resources, a multi-

faceted program is required. Such a program would have many components, including extension of educational opportunity for children, such as development of a nursery school; extension of the school day and year; and enrichment of the academic, cultural, social, and personal programs of the school. An additional component would be extension of educational opportunities for adults and out-of-school youth. This would necessitate a broad range of educational programs, vocational training and placement, social activities, cultural opportunities, and personal services to people. These components illustrate the need for a comprehensive attack on the broad problem of developing human resources.

Categorical aid hinders the unity of the educational enterprise not only because of the discreteness of its elements, but also because it is administered by many different agencies of the federal government. Federal funds for education are administered piecemeal. When responsibility is so divided, no person or agency can be held accountable for the administration of the total effort. Passing the buck becomes easy. Unity of control is lost.

Categorical aid also tends to be crisis-oriented, based on crash programs with sporadic funding. Appropriations are made from year to year, often too late to fit into the normal budget-making schedule of many local districts. Long-term planning is impossible, and short-term planning is hectic.

Moreover, categorical aids tend to be short-term, with little assurance of their continuing. Disruptive, last-minute adjustments must often be made to accommodate unanticipated federal interpretations of the law or changes in the laws themselves.

In some instances the miscellany of categorical aids operate at cross purposes. For example, Title V of the ESEA promised to strengthen state departments of education, although Title III of the same Act permitted local districts to deal unilaterally with federal agencies, an arrangement that is not designed to strengthen state departments. Some school administrators have taken to calling

their congressmen—not their state departments of education—if they encounter difficulty in funding their proposals. Many districts have developed the fine art of grantsmanship in dealing directly with their congressmen, who may not all be equally effective in representing the interests of their constituencies in Washington. Thus, by its very nature, the administration of the ESEA circumvents state and local processes and imposes a system of decision making that runs counter to time-tested American practices in the government of education.

Under Title II of the ESEA, many states' constitutional provisions on public funds for nonpublic schools have been circumvented. The intent of the title is to improve educational opportunity for deprived children by requiring local public schools to share materials and services with private schools, ostensibly to benefit the children—which was clearly the intent of the Congress. But the U.S. Office of Education has approved the procedure by which parochial schools order and receive books directly from the publishers and send the bill to the Office of Education. Under these circumstances, are the books loaned or granted to the parochial schools? Is the child-benefit theory operative under this arrangement? Many states have constitutional or statutory prohibitions against the allocation of public funds to parochial schools. Title II specifies that the federal government can administer programs within the states that would be otherwise unconstitutional in some states. To avoid such federal administration, every state except Oklahoma and Nebraska has decided to administer Title II programs itself. This has necessitated rulings by several states' officials that state-administered federal funds can be used for purposes that would be otherwise unconstitutional within these states. Clearly this is federal control of a most decisive sort.

Another conflict of purpose has emerged from the efforts of federal officials to use categorical funds, particularly those appropriated under the ESEA, for the enforcement of the Civil Rights Act of 1964. The enforcement of civil rights legislation is desirable

and necessary, and it is inevitably a function of the federal government, but administrative discretion has been exercised in this area in a manner that has created confusion and disagreement. The problem is admittedly complex, and its ultimate solution lies at least partially beyond the domain of the Office of Education. A fundamental review of the appropriate role of the U.S. Office of Education in the enforcement of constitutional and statutory law is needed.

After decades of dealing with categorical grants in small doses, the federal government, through the ESEA, embarked on a radical expansion of that approach to the support of education in the states and localities. The results have been unlike the intentions. Categorical aid has served to increase federal control of education and to confuse the problem of allocation of public funds to nonpublic schools, and has had limited success in reducing the problems of school segregation. This is not to suggest that federal categorical aid has been nefarious or ineffective, but does suggest that it has prompted many unanticipated consequences and that it is not the most effective pattern for massive, on-going federal financial participation in the educational enterprise.

Categorical grants have been accepted by the educational community as a means of getting a flow of federal funds established. That flow is now established. We believe that the time has come when the problems associated with categorical grants require amelioration. The assets of categorical aids—particularly their one key asset, political attractiveness—no longer justify exclusive reliance upon them. It is time, therefore, to institute practical measures which will tend to reduce dependence on categorical grants and to increase reliance on the more reliable kind of support—general support—to which we now turn.

General Aid

General support provides unearmarked funds which lose their identity as federal dollars when mixed with state and local funds for the general support of the entire educational program. General support flows into the school budget to provide additional funding for those purposes deemed most important by the state and local educational authorities. Thus it acts in the same manner as state financial support in many states. Foundation support is most suitable for financing a basic minimum program for all school districts.

General support can be distributed to the states either as general grants-in-aid or as tax sharing. General grants-in-aid may be allocated to the states through formulas to provide the difference between the cost of a minimum foundation program and the amount of state and local revenue generated within the state with reasonable effort. This pattern of distribution is most suitable for financing a basic minimum program for all school districts. It is the only pattern of distribution that attempts to guarantee minimum educational opportunity for all children. General grants-in-aid may be allocated to states also on a per child basis, per instructional unit basis, matching basis, percentage basis, or other bases. An alternative procedure for the dispensation of general financial support is tax or revenue sharing. Under this arrangement a given percentage of the total federal income tax collection would be distributed to the states for education. Thus, basic support of education would be linked directly to the nation's total economy.

General aid strengthens the capacity of state and local educational authorities to study, plan, weigh alternatives, and take responsible action. It places decision making on educational priorities closer to the scene of responsible action. General aid is more stable and continuous than categorical aid and permits long-range fiscal and educational planning. It strengthens continuity of programming, planning, and staffing. General aid permits greater adaptability in the expenditure of funds to meet unique local needs. When mixed with local funds, general aid strengthens fiscal responsibility by discouraging spurious spending simply to take advantage of money available. General aid eliminates the need for extensive guidelines and complex accounting and reporting procedures, thereby reducing administrative overhead at all levels of government. General aid also permits the states to spend the money within the constitutional and statutory provisions of their particular jurisdictions. In sum, general aid removes virtually all of the objections associated with categorical aid. For these reasons, the majority of school finance experts and commissions which have studied the problems of federal financial support have preferred general aid to categorical aid.

How can one be sure that general aid allocated to the states for their own control will be spent wisely? The question is legitimate and should be tested pragmatically. A proliferation of federal categorical aid has been tried and found wanting. Earlier, most states abandoned categorical aid in favor of general aid. None have returned to categorical aid programs, except for such universally needed but highly specialized purposes as education of the blind and the handicapped. History does not suggest that officials in state or federal capitals are able to allocate expenditures better than local education authorities. Indeed, there is good reason to believe that most local school systems, if not arbitrarily constrained, are both responsive and responsible to the public's quest for the best in education.

Recommendations

A statement of thoughtful, comprehensive, coherent policy is essential to the development of sound federal-state-local relationships in education. The importance of policy in guiding man's affairs, particularly his public affairs, is axiomatic. Yet this nation has no such official, comprehensive, rational national policy in education. Presidents do recommend various aspects of educational policy on occasion. Federal educational agencies of necessity formulate discrete elements of policy on specific matters under their jurisdiction on occasion. The Congress makes quasi-policy statements frequently in legislative enactments, and the Supreme Court interprets policy provisions inherent in the United States Constitution as they impinge on practice. Nevertheless, these pronouncements are not sufficiently comprehensive, coherent, or consistent to constitute a statement of national educational policy.

The problems resulting from the absence of federal policy are legion. There is no clear concept of the federal role in education. There is no careful definition of purposes to seek or of strategies for achieving them. Means are frequently confused with ends or, worse yet, selected without adequate consideration of purposes. The most central issue in education is, Education for what purpose? Yet contemporary educational development is preoccupied with programs and projects rather than purposes, with method rather than objectives. The nation seems to have become entranced by the technology, at the expense of the philosophy, of education.

Much current controversy surrounding federal education programs comes directly from this confusion in philosophy. There is, for example, a proposed program for assessing the progress of education in America. This will test pupil accomplishment in a number of fields. Such assessment can be accomplished only by choosing the subjects in which to assess. But who is to say what areas are the right ones? Thus, by its very existence, the proposed assessment takes the form of stating a national philosophy regarding the subjects which should be taught in American schools. Is there consensus on this philosophy? We think not. Indeed, we question whether there should be a uniform philosophy of curricular objectives. The national policy for education should limit itself to those topics on which federal activity in education is appropriate. These are mainly financial. It should be the general policy of the federal government to use federal resources to help create an environment in which education can flourish in the states and localities.

Just as there is no clear federal policy for education, so is there no clear allocation of authority and responsibility among the various federal agencies engaged in the educational enterprise. Such authority and responsibility as do exist develop fortuitously with overlapping jurisdictions, divided and inconsistent authority, and vacuums of accountability. Responsibility for adoption of important policies should be in the hands of the legislative branch of government. The Congress is handicapped in the development of federal educational policy by the absence of highly visible and prestigious counsel within the body politic on matters of educational policy.

In an earlier publication, *Educational Responsibilities of the Federal Government,* we examined four mechanisms for policy development at the federal level: (1) an independent educational agency under a board of education; (2) a cabinet-level Department of Education, with a Secretary of Education to subsume the U.S. Office of Education, together with other federal educational operations, within the Department; (3) a National Advisory Committee

on Education to advise the President and Cabinet on matters concerning education; and (4) a Council of Educational Advisers within the Executive Office of the President. The structure most recommended for the permanency and depth of its influence and capacity to serve is a Department of Education with full Cabinet status. We recognize that all depend for any success on the willingness of the President to give education an important place in his major affairs. The President of the United States has expressed repeatedly and convincingly the great importance he attaches to education as the keystone of his Administration. He has stated that "education remains the single most important task confronting our nation." If this is so, and we believe it is, we would regard education's claim to Cabinet status as worthy as that of urban affairs or transportation.

Application of a viable concept of federalism is essential to sound definition of the roles of the federal, state, and local governments in the educational enterprise. The federal system can work only if all the partners are capable of fulfilling their responsibilities and if they work together. The concept of an expanded partnership of the three levels of government engaged in intensive coordination of planning, programming, and budgeting is appropriate and timely.

Application of an idealized concept of federalism, with all levels strong and responsible, would illuminate the issue of centralization versus decentralization of control of education. Hopefully, it would arrest the present unanticipated, unprecedented, and accidental thrust toward centralization of power at the federal level. It could prompt a rational reappraisal of the partnership and redefine and redress the allocation of power among the levels of government. It could reduce the present dissipation of valuable energy in polemics and efforts to retain an outmoded distribution of power. The essential consideration is that power be reasonably balanced among strong partners. Where state educational authorities are weak, the appropriate remedy lies in strengthening rather than sub-

suming them. Much of their weakness is attributable to deficiencies in state and local tax bases. By relieving this impoverishment, the federal government can make possible a more effective relationship among strong partners. States, on the other hand, must recognize that in many instances where they have felt states' rights in education were invaded, the federal government was instead making up for state neglect and indecision.

The sort of federal relations we envision could illuminate the correspondence of control and finance in education. It would permit the federal government to participate generously in the financial support of education while remaining in fact a junior partner in the control of education.

What principles should govern the roles of federal, state, and local governments in the educational enterprise?

FEDERAL GOVERNMENT

The federal government should guarantee a minimum level of educational opportunity for all students by helping to finance it. This financial support should be allocated by formulas which include such factors as educational need and ability, without matching requirements but with a "general effort" requirement. This aid should be for general support. Its provision might be conditional where necessary upon state and local reforms of revenue systems and reorganization of school districts. All present anti-poverty categorical aids should be subsumed in the foundational support here recommended.

In addition, the federal government should provide blocs of general support to all state school systems for selected functions that are (a) compelling and (b) generally underdeveloped. The support of these functions would have the inestimable advantage of shifting the main thrust of federal educational support in the

direction of general aid. To illustrate we suggest examples in order of preference.

Pre-elementary and primary education. The crucial nature of early childhood education is now evident. It is during the years of early childhood that much of the total educational development pattern of students is determined. Money spent at this level of education appears to yield greater output than at any other level. This is also an area of great need. Nursery school and kindergarten education are presently available to fewer than half of the nation's children. Where early childhood programs are available, gains occur, but much of the gain is lost unless appropriate redevelopment takes place in the early elementary years. All existing federal support for pre-elementary education should be subsumed in general grants to support this level. In another volume, *Universal Opportunity for Early Childhood Education,* we spoke at greater length of our aspirations for early childhood education. We urged that pre-elementary education become an integral part of the total public education continuum, rather than a conglomeration of programs administered by extraschool agencies. We recognize that, although early schooling is needed, family life must be strengthened and not replaced. We saw early childhood education as a complement to good family life rather than a substitute for it. We recommended that early childhood education not be appended to the kindergarten and primary unit as an incidental form of "preschooling," but rather that it become an integrated and well-articulated educational sequence that flows smoothly into the primary unit.

Higher education. The tendency of students to drop out between the twelfth and sixteenth years of schooling manifests a serious underdevelopment of our system of universal education. Although we recognize that not all college-age students could or should continue their education through four years of higher education, all able students should have that opportunity regardless of their financial means. This nation is overdue in extending universal educa-

tional opportunity through the postsecondary years to all students, as this Commission suggested in *Universal Opportunity for Education Beyond the High School*. We were prompted not only by humane considerations but also by the realization that higher education is a high-yield investment. This sector of education meets both the tests suggested: it is both compelling and underdeveloped. Fortunately, substantial gains have been made in the financing of higher education through the several higher education acts of recent years. Present categorical aids for higher education should be examined to determine the feasibility of consolidating as many of them as possible into one general program expanded to bring the means into better balance with the need.

Adult education. Eight million Americans are now functionally illiterate. Many others, although not illiterate, are unemployable because of educational deficiencies. Still others, who are presently employed, will be rendered occupationally obsolete through automation unless they can be returned to school for effective vocational rehabilitation. In a free society, a citizen whose knowledge of modern life is not continually updated is handicapped. Shorter workweeks and earlier retirement provisions have increased citizens' leisure time and have released their energies to engage in intellectual pursuits. Yet few states provide adequate financial support for adult education, and few local school systems are able or willing to sustain the costs locally. Adult education also satisfies the tests of being compelling and underdeveloped.

The federal government should ultimately provide categorical aid only for educational programs that—

- Serve persons for whom the federal government claims special responsibility, such as American Indians and students in Overseas Dependents Schools.
- Transcend state jurisdictions, such as educational television network facilities and international education programs.
- Render special service to the federal government, such as research contracts with universities.

- Stimulate research and development in broad areas of education.
- Serve clearly defined and agreed-on national interests which are not otherwise adequately served, such as education of children of migrant workers.

With few exceptions, the federal government should deal with state rather than with local administrative units in distributing federal funds for public education. There should be as few restrictions as possible on the manner in which states handle federal educational funds. These funds should be distributed in accordance with the individual state's constitutional and statutory provisions. Unless there is good reason for the contrary, the normal fiscal accounting and reporting procedures required by a state for state funds should be sufficient for the handling of federal funds in that state. As much as possible, state and local educational officers should participate in the development of federal legislation, regulations, and guidelines.

STATE GOVERNMENT

Education should remain a legal function of the states. Except where United States Constitutional provisions are relevant, state constitutional and statutory provisions regarding education should prevail.

States should exercise their authority over education creatively and responsibly. Weak and indecisive state departments are the surest invitation to federal incursions into state prerogatives. The federal government, rather than usurp states' rights in education, has more often compensated for state neglect. If the federal system is to be well balanced, each partner must be responsible, alert, and strong.

There are many educational reforms that can be made only at the state level, and many states have not made them well. These include the reorganization of school districts into efficient units,

elimination of racial isolation, preparation of long-range plans for the development of schools, reform of state and local revenue systems, removal of unreasonable limits upon tax rates and indebtedness, modernization of tax assessment and levying practices, establishment of sound foundation programs, removal of unwise prescriptions regarding the curriculum, and determination and enforcement of reasonable standards. However, state departments of education must not become preoccupied with their regulatory and supervisory powers to the neglect of their leadership responsibilities.

LOCAL GOVERNMENT

As far as possible, the operational responsibility for schools should rest with local districts. In general, local control of education has served the national interest well. Many excellent educational programs have been developed under distinguished leadership of local school faculties and boards of education. Local school systems have proved to be remarkably adaptable and viable units of operational control. The general overburden of local property taxes stands as evidence of communities' efforts to provide the best possible education. There are, to be sure, inadequate schools in many communities. In many cases these inadequacies result from deficiencies in the local tax base. Yet no school system has the right to be as bad as some of them might be content to be. It is at this point that state standards become enforceable and state and federal foundation program support becomes necessary.

Conclusion

If education is to be excellent, the schools have a dire need for federal funds. The federal government therefore has an indispensable role to play in education. The federal government, however, cannot play that role effectively as long as it follows the categorical approach only—that is, as long as it insists on making the educational decisions itself. General aid may be politically beyond the possible in the present circumstances. But it should be the main aim to move in that direction now.

STATEMENT BY JOHN H. FISCHER

I agree with my colleagues that present categorical programs of federal aid are less than perfect and that some have produced serious problems of interpretation and administration. I cannot, however, support the view that, aside from a few specialized functions, the role of the federal government in education should be restricted "ultimately" to distributing funds which the individual states are to apply to whatever purposes they consider important. The Commission's position would be more tenable if one might safely assume that as the 50 separate states pursue their own interests the national interest will automatically be served. Long experience, to say nothing of recent events, will not support that assumption. Although the priorities set by some states correspond closely to national needs, the agreement is by no means universal.

The general welfare of all our people is now influenced to an unprecedented degree not only by the magnitude of our educational effort but also by the objectives toward which that effort is directed. Decisions affecting the choice of educational objectives as well as those dealing with financial support are properly and necessarily within the province of the one government that belongs to all Americans and serves the whole country. The assurance of a common and realistic floor of opportunity for every child in the country through a program of general, equalized aid to the states is one essential element of an adequate federal policy. Such basic aid should be supplemented, however, by congressional action to introduce or emphasize on a national scale whatever particular programs the national interest may require.

This is not to say that state sovereignty in education should be replaced by federal authority. It is to argue that in appropriate areas of policy, as well as in financial support, initiative and responsibility at the federal level should complement initiative and responsibility at state and local levels. A sound approach to national educational policy should, in my view, balance the protection of local preference with a comparable concern for the nationwide imperatives that local preference cannot alter.